



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 11/16/99
AGENDA ITEM 5
WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: City Manager

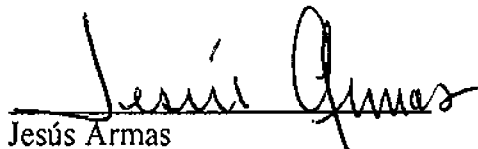
SUBJECT: Proposition 22: The Knight Initiative or the California Protection of Marriage Initiative

This item appears on the agenda at the request of Councilmember Kevin Dowling.

The City Council is in receipt of a letter from the South Hayward Parish requesting that you take a position in opposition to Proposition 22, which will appear on the March 2000 ballot.

In addition to the letter from the Parish, the Council is also provided information obtained from the web pages of the proponents and opponents.

The resolution that accompanies this agenda report is based on the draft presented by the Parish.


Jesús Armas

Attachment A: Letter from South Hayward Parish
Attachment B: Information from Web Pages of Proponents and Opponents
Resolution

SOUTH HAYWARD PARISH

27287 PATRICK AVENUE
HAYWARD, CA 94544

RECEIVED
OCT 14 1999
OFFICE OF MAYOR

The Honorable Roberta Cooper
Mayor, City of Hayward
777 B St.
Hayward, CA 94541

Dear Mayor Cooper:

The South Hayward Parish is an interfaith coalition of congregations organized since 1967 for the purpose of combining resources for social justice and service primarily in South Hayward. While the faith perspectives represented by this coalition are diverse we are unified around an emphasis on respect for all people and in opposition to forces attitudes and most recently ballot initiatives that target groups for discrimination and persecution and create ugly snags of fear and ignorance in the fabric of vibrant diversity that is Hayward. We have joined the City of Hayward in taking stands against the scape goating of immigrants (Prop.187), hoarding opportunity (anti affirmative action Prop.209) and fear of diversity (anti bilingual ed. Prop. 227).

It is in that spirit that we communicate our urgent concern over the Knight, or so-called "Definition of Marriage" Initiative. This initiative slated for the March 7, 2000 election is, in spite and because of its misleading statement of intent, an attempt to single out our gay and lesbian brothers and sisters as targets of diminished status, hate, and continued attack.

Much of the preliminary voter materials in favor of this initiative claim it as a defense of a "system of beliefs". This raises for us, as a representative group of faith communities, concerns about serious abuses in the relationship between religion and state. Several of the denominations represented in the South Hayward Parish are involved in serious and sensitive discussions around sexual orientation. We are acutely aware that the introduction of this initiative into the electoral process is an effort by brothers and sisters, with whom we are familiar, to usurp and render moot an ecclesiastical process. It is not a "defense of a system of belief". It is an illegal intrusion into religious belief and process.

It is the right of religious institutions to decide for themselves what relationships they shall bless. For "religious" organizations to impose their exclusive interpretations on what many of us hold as a sacred right of conscience through abuse of the electoral process is critically wrong and tears recklessly at that fragile place where religion and politics should indeed be able to inform one another.

SOUTH HAYWARD PARISH

**27287 PATRICK AVENUE
HAYWARD, CA 94544**

Therefore:

Whereas the City of Hayward has become what many studies indicate the most proportionately diverse municipality in the most diverse region of North America.

Whereas the City of Hayward has in recent years made clear its intent to protect the rights of all its residents and create an environment that enhances the potential of its diversity by taking courageous stands against initiatives and policies that divide and diminish rather than unite and affirm.

Whereas the Knight Initiative's sole purpose is the denigration of gay and lesbian families and the promotion of homophobia

Whereas the Knight Initiative is the civil imposition of an exclusive set of "religious" beliefs and therefore an attack on the religious rights of all Hayward residents.

The South Hayward Parish Board of Directors calls on the City Council of the City of Hayward to officially oppose the Knight Initiative and urge its citizens to vote against it.

Sincerely,

Rev. John F Wichman

On behalf of the South Hayward Parish Board of Directors

cc Members of the City Council, City of Hayward



Vote NO on Knight

Frequently Asked Questions

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1. Supporters of this initiative say that it's necessary to protect the "traditional family." What's your response?

We ALL agree on the importance of strong families, but the Knight Initiative won't strengthen a single family in California. In fact, the Knight Initiative undermines families that include gay, lesbian, bisexual, or transgender people by attacking the love, commitment and mutual responsibility that make these families – and any family – strong. The Knight Initiative is unfair, divisive and intrusive.

California's 50% divorce rate threatens the "traditional family" – but no one is putting an initiative on the ballot to outlaw divorce. Spousal abuse threatens the traditional family – but the Knight people aren't addressing that. Issues like inadequate health care, youth violence, economic security – unlike gay and lesbian people in loving, committed relationships – are the real issues that California's families are concerned about. [Back to top](#)

2. You say that same-sex marriage isn't legal in California, but if some other state, like Vermont or Hawaii, legalizes same-sex marriage then wouldn't California have to recognize those marriages too?

Same-sex couples cannot get married in California now, nor will they be able to after the Knight Initiative is defeated. If one state does decide that same-sex couples should have the same rights and responsibilities as any other loving couple, then the courts in each state will have to decide whether those marriages will be recognized. Many legal experts have said the Constitution requires that they be recognized. Time will tell. But, remember, the real reason Pete Knight and his right wing allies are pushing the Knight Initiative is not to defend marriage, but to attack families. The Knight Initiative is intended to create a legal framework to go after any legislation or laws

intended to ensure the fair treatment of gays and lesbians. It's been Pete Knight's track record in the legislature and it's how these laws have been used in other states. The Knight Initiative doesn't change anything except to divide the people of California and target gay and lesbian families for discrimination. Back to top

3. Is the campaign in favor of same-sex marriage?

Some No on Knight supporters – like Republican Congressman Tom Campbell, Vice President Al Gore, presidential candidate Bill Bradley – are not supportive of same-sex marriage. Others, like the Interfaith Alliance and San Francisco Mayor Willie Brown are. Regardless of our differences of opinion on same-sex marriage, we call all stand together in opposition to the politics of unfairness, divisiveness, and intrusiveness. Back to top

4. Should California recognize same-sex marriages performed in other states?

Discrimination is wrong – period. No loving, committed family, whether gay or straight, should have to be denied health insurance, hospital visitation, or even denied child custody. That's unfair. IF another state should legalize same-sex marriage, the courts, the legislature and the people of California will decide what to do THEN. But the question before voters on March 7th is whether to support an unfair, divisive, and intrusive measure known as the Knight Initiative. California has suffered through several divisive campaigns in recent years targeting Latinos, other ethnic minorities, and labor unions. We don't need another divisive measure that only spreads fear and intolerance. Back to top

5. How is this initiative hateful or divisive? All it does is close a loophole in California's family code so that California won't be forced to recognize same-sex marriages performed in other states?

This initiative is not about a loophole. Not everyone agrees on the issue of same-sex marriage, but we can

all agree that the Knight Initiative is bad for families and bad for California. Any initiative that singles out one group of Californians for discrimination is unfair and divisive. We didn't ask for this initiative. The public isn't crying out on this issue. Pete Knight and his extreme right-wing allies put this initiative on the ballot to divide Californians and use same-sex marriage as a wedge issue to further a broader, right-wing agenda.

California's greatest strength is our diversity. But in recent years we've suffered through several divisive campaigns targeting Latinos, other racial minorities, and union members. Now the right wing is attacking us and our families with this unfair, divisive, and intrusive measure. As we enter the 21st century, we should stand up for California's values – fairness and equality. Back to top

6. A large majority of the public opposes same-sex marriage. Don't we have an initiative process so that non-elected judges, special interests, and out-of-touch elected officials can't thwart the public will?

This initiative was NOT put on the ballot because the public cried out for it. This unfair, mean-spirited, intrusive initiative was put on ballot by a small group of extreme, right-wing individuals and organizations with a long history of pitting one group of Californians against another to further a broader, right-wing agenda. The vast majority of California's initiatives that pass wind up in long, costly court challenges. The Knight Initiative is no different. Back to top

7. If California is forced to recognize same-sex marriage, won't it mean that religious denominations that don't honor same-sex unions will be punished?

These kinds of lies and distortions are totally irresponsible. The Knight Initiative –whether it passes or is defeated – has nothing to do with any of those issues. Marriage as a legal or civil institution is separate from marriage as a religious institution. Marriage laws do not impact religious beliefs or practices. The Knight Initiative is not an up or down

vote on same-sex marriage. You do not need to be in favor of same-sex marriage to vote no on Knight.
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8. What about domestic partnership? Didn't the Governor just sign a domestic partnership bill? Isn't that the same as marriage?

Again, the status of same-sex marriage in California does not change on March 8, regardless of whether the Knight Initiative is passed or defeated. Domestic partnership is not the same as marriage. It is often largely symbolic, providing for registry only. In some instances it provides for some limited rights – such as hospital visitation or access to health insurance for public employees. According to the General Accounting Office, marriage entails hundreds and hundreds of legal rights. Back to top

9. You say that this initiative is intrusive. How is closing a loophole to make sure California doesn't have to recognize same-sex marriages in other states intrusive?

The Knight Initiative introduces government intrusion into private lives and choices. Government ought not pass laws that regulate private decisions about whom we spend our lives with. Back to top

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Fax 323-934-4860

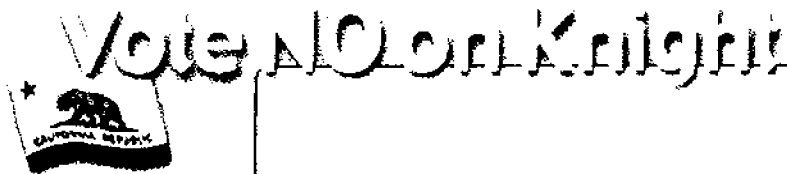
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Fax 415-227-1029**

San Diego
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San Diego, CA 92116
619-291-1886
Fax 619-291-1558

All press inquires and contributions to San Francisco office.

Email: campaign@NoOnKnight.org

<http://www.NoOnKnight.org>



Our Endorsements

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Vice President Al Gore (D)

Presidential Candidate Bill Bradley (D)

U.S. Senator Barbara Boxer

U.S. Senator Dianne Feinstein

U.S. Rep. Xavier Becerra (D-30)

U.S. Rep. Tom Campbell (R-15)

U.S. Rep. Anna Eshoo (D-14)

U.S. Rep. Tom Lantos (D-12)

U.S. Rep. Zoe Lofgren (D-16)

U.S. Rep. George Miller (D-7)

U.S. Rep. Nancy Pelosi (D-08)

U.S. Rep. Ellen Tauscher (D-10)

U.S. Rep. Mike Thompson (D-01)

U.S. Rep. Henry Waxman (D-29)

U.S. Rep. Lynn Woolsey (D-6)

California Senate President Pro Tempore John Burton
(D-3)

Senator Wesley Chesbro (D-2)

Senator Joseph Dunn (D-34)

Senator Tom Hayden (D-23)

Senator Byron Sher (D-11)

Senator Jackie Speier (D-8)

Senator John Vasconcellos (D-13)

Assembly Speaker Antonio Villaraigosa (D-45)

Assemblywoman Elaine Alquist (D-22)

Assemblywoman Dion Aroner (D-14)

Assemblywoman Susan Davis (D-76)

Assemblyman Mike Honda (D-23)

Assemblyman Fred Keeley (D-27)

Assemblyman Wally Knox (D-42)

Assemblywoman Sheila Kuehl (D-41)
 Assemblyman Ted Lempert (D-21)
 Assemblyman John Longville (D-62)
 Assemblywoman Kerry Mazzoni (D-6)
 Assemblywoman Carole Migden (D-13)
 Assemblyman Lou Papan (D-19)
 Assemblywoman Virginia Strom-Martin (D-1)
 Assemblyman Kevin Shelley (D-12)
 Assemblywoman Patricia Wiggins (D-7)
 Mayor Willie Brown, San Francisco
 Mayor Ron Gonzales, San Jose
 Sheriff Lee Baca, Los Angeles County
 Sheriff Laurie Smith, Santa Clara County
 Police Chief Bill Landsdowne, San Jose
 Bianca Alvarado, Santa Clara County Board of
 Supervisors
 Jim Beall, Santa Clara County Board of Supervisors
 Cindy Chavez, San Jose City Council
 Mark DeSaulnier (R), Contra Costa County Board of
 Supervisors
 Jan Epstein, San Mateo City Council
 Jackie Goldberg (D), Los Angeles City Council
 Rich Gordon, San Mateo County Board of Supervisors
 Mary Griffin, San Mateo County Board of Supervisors
 Jerry Hill, San Mateo County Board of Supervisors
 Rose Jacobs-Gibson, San Mateo County Board of
 Supervisors
 Sue Lempert, San Mateo City Council
 Mark Leno, San Francisco County Board of Supervisors
 Claire Mack, San Mateo City Council
 Mike Nevin, San Mateo County Board of Supervisors
 Ron Roberts (R), San Diego County Board of
 Supervisors
 Joe Simitian (D), Santa Clara County Board of
 Supervisors
 Barbara Warden (R), San Diego City Council and
 Mayoral Candidate
 Christine Kehoe (D), San Diego City Council and
 Assembly District Candidate
 Juan Vargas (D), San Diego City Council
 Berkeley City Council
 Los Angeles City Council
 San Francisco City Council
 San Francisco Board of Supervisors
 Santa Clara County Board of Supervisors
 West Hollywood City Council
 San Diego Fair Housing Council

Burbank Human Relations Commission
Contra Costa County Human Relations Commission
Fresno Human Relations Commission
Glendale Human Relations Commission
Los Angeles Human Relations Commission
Pasadena Human Relations Commission
San Diego Human Relations Commission

Organized Labor

Alameda County Central Labor Council, AFL-CIO
California State Employee Association
California Teachers Association
Disneyland League
Local 339
Monterey County Labor Council
Orange County Central Labor Council
Pride at Work Southern California
San Francisco Labor Council, AFL-CIO
San Jose Newspaper Guild/CWA Local 39098
Santa Cruz County Labor Council
SEIU Local No. 250
SEIU Local No. 790
SEIU Local No. 817
South Bay AFL-CIO Labor Council

News Media

San Francisco Examiner Editorial Board

Business & High-Technology

John Goldman, Goldman Insurance Corp.
Kathy Levinson, E*TRADE, President and COO
Tom Homman Law Association
David Potruck, Charles Schwab, Inc. Co-CEO
Greater San Diego Business Association
San Diego Interagency Coalition
San Francisco Chamber of Commerce

Nonprofit, Advocacy & Other Organizations

AIDS Service Center Board of Directors (Los Angeles)
American Association of University Women, California
American Association of University Women, La Mesa
American Civil Liberties Union, National
American Civil Liberties Union, Imperial County
American Civil Liberties Union, Monterey
American Civil Liberties Union, San Diego
Asian Pacific Policy & Planning Council
Bar Association of San Francisco

Bay Area Lawyers for Individual Freedom
 Black Network Alliance (San Diego)
 California Alliance for Pride and Equality
 California Democratic Party
 Californians for Justice
 California Tomorrow
 Coalition of Minority Organizations, Monterey
 Culver City Democratic Club
 Democratic Alliance for Action
 Democratic Women's Club, Monterey
 Education Committee of Orange County
 Gay and Lesbian Alliance Against Defamation
 Harvey Milk Democratic Club
 Human Rights Campaign
 Inland Empire Lesbian Democratic Club
 Interagency Coalition on Human and Civil Rights (San Diego)
 Japanese American Association
 Lambda Legal Defense and Education Fund
 League of Women Voters of California
 Lemon Grove Project (San Diego)
 Log Cabin Republicans
 Monterey County Democratic Central Committee
 National Association for the Advancement of Colored People (NAACP) - San Jose
 National Center for Lesbian Rights
 National Gay and Lesbian Task Force
 National Organization for Women
 National Organization for Women, Monterey
 Operation Understanding (San Diego)
 Outreach and Advocacy, Monterey
 Parents, Families and Friends of Lesbians and Gays, National
 Parents, Families and Friends of Lesbians and Gays, San Jose / Peninsula
 Peninsula Democratic Club
 Planned Parenthood Affiliates of California
 Planned Parenthood, Golden Gate
 Planned Parenthood, Mar Monte
 San Diego Japanese American Citizens League
 Sonoma County Democratic Party
 Stonewall Democratic Club
 27th AD Democratic Committee
 United Nations Association (San Diego)
 Voices for Justice (San Diego)
 West Hollywood Democratic Club
 West Hollywood Municipal Employees

Women's International League of Peace and Freedom,
Monterey

Women Lawyer's Alliance of Los Angeles

Churches and Religious Organizations

All Saints Episcopal Church, Pasadena

Easter Hill United Methodist Church, Richmond

First Unitarian Church, San Jose

Interfaith Alliance of California

Interfaith Alliance (South Bay Chapter)

Interfaith Council on Race, Religion, Economic and
Social Justice (Santa Clara County)

Pacific Association of Reform Rabbis

Unitarian Universalist Church, Monterey

Rabbi Allen B. Bennett

Rabbi Robert A. Siegel, Temple Beth Israel, Fresno*

Rev. Alan Jones, Interfaith Alliance

Rev. Phil Lawson, Easter Hill United Methodist Church

Individuals

Max and Margot Bollock, Peace Action Center

Marie Davis, San Mateo County NAACP

Jorge Gonzalez, San Jose Unified School Board

Susan Hammer, former Mayor, San Jose

Diane Harrison, Planned Parenthood Golden Gate

Mitzi Henderson, PFLAG

Priscilla Hunter, Tribal Chairwoman, Coyote Valley
Band, Pomo Indians

Aminah Jahi, NAACP, San Jose

Vivian Kral, California Women Lawyers

Jim Leddy, Region 2 Director, California Democratic
Party

Ruth Nagler, San Mateo county

Dolly Sandoval, candidate, Santa Clara County Board
of Supervisors

Ken Yeager, College Board

* affiliation listed for identification purposes only

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Fax 323-934-4860

No on Knight
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Fax 415-227-1029

San Diego
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San Diego, CA 92116
619-291-1886
Fax 619-291-1558

California Protection of Marriage Initiative



Protection of Marriage Committee

**"Only marriage between a man and a woman
is valid or recognized in California."**

(entire text of the proposition)

The Protection of Marriage Initiative is supported by a bipartisan coalition of Democrats, Republicans and Independents; civic and community organizations, church groups and thousands of every day Californians. Over 700,000 registered voters have said "YES" by signing petitions to place the Protection of Marriage Initiative on the March 2000 primary ballot. For further information, please contact us.

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Contact the Campaign

1121 L Street, Suite 810
Sacramento, CA 95814
Phone: (916) 444-8080

campaignhq@protectmarriage.net

What is Proposition 22/Protection of Marriage Initiative?

Protection of Marriage is an initiative on the March 7, 2000 primary ballot in California. It will appear on the ballot as Proposition 22, and adds just 14 words to the California Family Code. A "YES" vote means that:

**"Only marriage between a man and a woman
is valid or recognized in California."**

That's all it says, and that's all it does: define marriage in California as between a man and a woman. It does not take away anyone's rights or attack any group of people or their family. It merely affirms the irreplaceable role of marriage between men and women in our society.

Why is Proposition 22 on the Ballot?

California law currently defines marriage as between a man and a woman. But marriages performed in other states are generally recognized as valid in California. Because several state courts, including Vermont, are close to ruling in favor of same-gender marriage, a "YES" vote is needed on Proposition 22 to close a loophole in California law.

Nearly 700,000 registered voters have already said "YES" on Proposition 22 by signing petitions to place the Protection of Marriage Initiative on the March 2000 primary ballot.

Why California Voters say "YES" to Proposition 22

- Californians understand the difference between respecting a person's right to same-sex relationships and endorsing same-sex marriages. A "YES" vote on Proposition 22 means that people will continue to have the right to live as they choose, but not to re-define marriage for our entire society.
- A "YES" vote for the Protection of Marriage Initiative sends a clear and positive message to California's children about the future of

families: Marriage should be preserved for what it is: An irreplaceable union between a man and a woman.

- Decisions affecting California should be voted on by Californians. A "YES" vote on Proposition 22 means that voters in California will preserve our right to decide the definition of marriage in California. 30 states and the federal government have passed their own Protection of Marriage laws. Proposition 22 gives California the same opportunity to decide for itself what the definition of marriage should be, without interference from judges in other states.
- Tolerance and respect for people with different beliefs are not just words, but real life values. A fair-minded person's exercise of freedom of conscience in support of traditional marriage is not hatred, bigotry, discrimination or extremism towards any person or their family, but affirms the irreplaceable role of marriage between men and women in our society.

What is the History of the Protection of Marriage Issue in California?

In 1977, Democratic Governor Jerry Brown signed a bill stating that marriages licensed in California shall be a relationship between one man and one woman. However, marriages performed in other states are generally recognized as valid in California. Because several state courts, including Vermont, are close to ruling in favor of same-gender marriage, a "YES" vote is needed on the Protection of Marriage Initiative to prevent California from having to recognize same-gender marriages performed in other states.

What is the Law in Other States?

In 1996 President Clinton signed the Federal Defense of Marriage Act, confirming the right of each state to determine its own laws on same-gender marriage, and declaring that the United States government recognizes marriage as between a man and a woman. The measure passed the House and Senate with overwhelming bipartisan support.

So far, 30 other states have passed their own Protection of Marriage laws: Alaska, Alabama, Arizona, Arkansas, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Missouri, Montana, North Carolina, North Dakota, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Virginia and Washington.

The Protection of Marriage Initiative is supported by a bipartisan coalition of Democrats, Republicans and Independents; civic and community organizations, church groups and thousands of every day Californians. Over 700,000 registered voters have said "YES" by signing petitions to place the Protection of Marriage Initiative on the March 2000 primary ballot. For further information, please contact us.

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Contact the Campaign

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campaignhq@protectmarriage.net

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION OPPOSING PROPOSITION 22 (THE KNIGHT INITIATIVE)

WHEREAS, the City of Hayward is one of the most proportionately diverse municipality in the most diverse region of North America; and

WHEREAS, the City of Hayward has in recent years made clear its intent to protect the rights of all its residents and create an environment that enhances the potential of its diversity by taking courageous stands against initiatives and policies that divide and diminish rather than unite and affirm; and

WHEREAS, the Knight Initiative's sole purpose is the denigration of gay and Lesbian families and the promotion of homophobia; and

WHEREAS, the Knight Initiative is the civil imposition of an exclusive set of "religious" beliefs and therefore an attack on the religious rights of all Hayward residents; and

WHEREAS, the South Hayward Parish Board of Directors requests that the City Council oppose the Knight Initiative.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward opposes the Knight Initiative (Proposition 22) and urges its citizens to vote against it.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1999

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward